

Message Text

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PAGE 01 OTTAWA 04366 272048Z
ACTION PM-04

INFO OCT-01 EUR-12 ISO-00 NSC-05 SP-02 SS-15 L-03

CIAE-00 INR-07 NSAE-00 /049 W

-----272054Z 093006 /64

P 272040Z MAY 77

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 3606

INFO SECDEF/ISA WASHDC

DLA/SMP CAMERON STA VA

OSAF/GC WASHDC

CSAF WASHDC

UNCLAS OTTAWA 04366

E.O. 11652: NA

TAGS: MARR, CA

SUBJECT: DISPOSAL OF TELEPHONE CABLE PLANT AT GOOSE BAY

REF: STATE 045134/1

1. EMBASSY HAS RECEIVED FOLLOWING AIDE-MEMOIRE FROM
CANADIAN DEPARTMENT OF EXTERNAL AFFAIRS REGARDING
DISPOSAL OF TELEPHONE CABLE PLANT AT GOOSE BAY.

2. BEGIN TEXT: WITH REFERENCE TO THE EMBASSY'S AIDE-
MEMOIRE OF MARCH 7, 1977, CONCERNING THE DISPOSAL OF
THE TELEPHONE CABLE PLANT AT GOOSE BAY, IT WAS THE FIRST
IMPRESSION OF THE CANADIAN AUTHORITIES CONCERNED, WITHOUT
FORMAL LEGAL INTERPRETATION, THAT THE TELEPHONE CABLE
LINES COULD REASONABLY AND PRACTICALLY BE CONSIDERED AS
"STRUCTURES AND IMPROVEMENTS PERMANENTLY AFFIXED TO THE
REALTY AT GOOSE BAY". WHILE IT IS AGREED THAT IT IS
PHYSICALLY POSSIBLE TO REMOVE THE TELEPHONE LINES (AS
INDEED IT IS POSSIBLE TO REMOVE A BUILDING) THE CANADIAN
AUTHORITIES QUESTION THE ARGUMENTS RELATING TO PRACTICAL-
ITY WHICH ARE SET OUT ON PAGE 3 OF YOUR AIDE-MEMOIRE.

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3. IT SHOULD ALSO BE NOTED THAT THE GOVERNMENT OF CANADA,
THROUGH THE MINISTRY OF TRANSPORT (MOT), HAS NEVER IN-
TENDED TO PROFIT FROM THE SALE OF THE PLANT. INDEED, IT
IS OUR UNDERSTANDING THAT THE NEWFOUNDLAND TELEPHONE
COMPANY, THE ONLY POTENTIAL PURCHASER OF THE PLANT, IS
PREPARED TO OFFER ONLY A NOMINAL SUM FOR THE FACILITIES.

MOT'S DECLARATION OF SURPLUS TO CROWN ASSETS DISPOSAL CORPORATION (CADC) WAS MADE IN THE BELIEF THAT THE CABLE LINES COULD BE CONSTRUED TO BE CANADIAN PROPERTY UNDER THE TERMS OF THE 1952 EXCHANGE OF NOTES AND THAT CADC WOULD THEREFORE REQUIRE SOME FORM OF RELEASE FROM MOT BEFORE THE SALE COULD PROCEED.

4. NOTWITHSTANDING THE ABOVE, MOT IS NOW PREPARED FORMALLY TO RELEASE ANY RIGHT WHICH CANADA MAY HAVE TO TELEPHONE CABLES AFFIXED TO THE REALTY AT GOOSE BAY, AND TO ACKNOWLEDGE, WITHOUT PREJUDICE, THAT SUCH FACILITIES MAY BE CONSIDERED AS REMOVABLE ASSETS BELONGING TO THE GOVERNMENT OF THE UNITED STATES. IN SUPPORT OF THIS POSITION, CADC WILL BE ADVISED THAT MOT'S DECLARATION OF SURPLUS WITH RESPECT TO TELEPHONE CABLE FACILITIES AT GOOSE BAY IS TO BE RESCINDED. END TEXT.
ENDERS

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NNN

Message Attributes

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Sent Date: 27-May-1977 12:00:00 am
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Disposition Approved on Date:
Disposition Case Number: n/a
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